

405 KAR 16:170. Stabilization of surface areas.

RELATES TO: KRS 224.033, 350.020, 350.465

STATUTORY AUTHORITY: KRS Chapter 13A, 350.028, 350.465

NECESSITY, FUNCTION, AND CONFORMITY: KRS Chapter 350 in pertinent part requires the cabinet to promulgate rules and administrative regulations establishing performance standards for the protection of people, property, land, water, natural resources, and aesthetic values during surface mining activities and for the restoration and reclamation of surface areas affected by mining activities. This administrative regulation sets forth requirements for the stabilization of surface areas with specific measures for the control of fugitive dust.

Section 1. Stabilization of Surface Areas. All exposed surface areas shall be protected and stabilized to effectively control and limit erosion and air pollution attendant to erosion (fugitive dust).

Section 2. Control Measures. The fugitive dust control measures to be used shall include, as necessary, but not be limited to:

- (1) Periodic watering of unpaved roads;
- (2) Chemical stabilization of unpaved roads with proper application of nontoxic soil cement or dust palliatives;
- (3) Paving of roads;
- (4) Prompt removal of coal, rock, soil, and other dust-forming debris from roads and frequent scraping of and compaction of unpaved roads to stabilize the road surfaces;
- (5) Revegetating, mulching, or otherwise stabilizing the surfaces of all areas adjoining roads that are sources of fugitive dust;
- (6) Restricting the travel of vehicles on areas other than established roads;
- (7) Minimizing the area of disturbed land;
- (8) Prompt revegetation or other stabilization of disturbed lands; and
- (9) Planting of special windbreak vegetation at critical points in the permit area. (8 Ky.R. 1547; eff. 1-6-1983; 11 Ky.R. 1850; eff. 8-13-1985; Crt eff. 7-3-2018.)